

103D CONGRESS
1ST SESSION

S. 1543

To amend the Internal Revenue Code of 1986 to provide a refundable credit for qualified cancer screening tests.

IN THE SENATE OF THE UNITED STATES

OCTOBER 14 (legislative day, OCTOBER 13), 1993

Mr. MACK (for himself, Mr. BREAUX, Mr. INOUE, Mr. D'AMATO, Mr. STEVENS, Mr. LOTT, Mr. LIEBERMAN, Mr. MCCAIN, Mr. JEFFORDS, Mr. COATS, Mr. NICKLES, Mr. THURMOND, Mr. JOHNSTON, Mr. SHELBY, Mr. SIMON, Mr. DECONCINI, Mr. SMITH, Mr. HATCH, Mr. KERRY, Mr. CAMPBELL, Mrs. FEINSTEIN, and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to provide a refundable credit for qualified cancer screening tests.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cancer Screening
5 Incentive Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Studies have shown that early detection and
2 screening for cancer can reduce cancer morbidity by
3 as much as 50 percent for certain types of cancer.

4 (2) Of the 1.17 million Americans diagnosed
5 with cancer in 1993, the American Cancer Society
6 estimates that 100,000 deaths could be avoided
7 through early detection and prompt treatment.

8 (3) Physicians report that concern about the
9 costs of early detection procedures is one of the
10 main reasons for hesitating to order such proce-
11 dures.

12 (4) Many low-income Americans lack com-
13 prehensive health insurance coverage and the major-
14 ity of existing health insurance policies do not ade-
15 quately cover the costs of cancer early detection and
16 screening procedures.

17 (5) Socioeconomically disadvantaged Americans
18 are disproportionately affected by cancer in terms of
19 incidence and mortality.

20 (6) Demographic forecasts predict that the el-
21 derly population will double by the year 2020. Since
22 cancer mortality and incidence rates rise dramati-
23 cally with age, cancer prevention in the elderly popu-
24 lation will become increasingly important.

1 **SEC. 3. CANCER SCREENING CREDIT.**

2 (a) IN GENERAL.—Subpart C of part IV of sub-
 3 chapter A of chapter 1 of the Internal Revenue Code of
 4 1986 (relating to refundable credits) is amended by redes-
 5 ignating section 35 as section 36 and by inserting after
 6 section 34 the following new section:

7 **“SEC. 35. CANCER SCREENING TEST CREDIT.**

8 “(a) ALLOWANCE OF CREDIT.—There shall be al-
 9 lowed as a credit against the tax imposed by this subtitle
 10 for the taxable year expenditures paid or incurred during
 11 the taxable year for any qualified cancer screening test
 12 which is included in the list under subsection (c) and
 13 which is not compensated by insurance or otherwise, as
 14 follows:

15 “(1) ELIGIBLE INDIVIDUAL.—In the case of an
 16 eligible individual, the amount of the credit allowable
 17 under this subsection shall not exceed—

18 “(A) \$250, or

19 “(B) \$200 in the case of a taxpayer with
 20 taxable income for the taxable year in excess of
 21 the maximum rate of taxable income to which
 22 the 15-percent rate applies under the applicable
 23 table under section 1.

24 “(2) QUALIFIED CANCER SCREENING PRO-
 25 VIDER.—In the case of a qualified cancer screening
 26 provider, the amount of the credit allowable under

1 this subsection shall be an amount equal to the
2 product of—

3 “(A) the lower of—

4 “(i) the usual and customary charges
5 for qualified cancer screening tests, or

6 “(ii) the rate of payment established
7 by the Health Care Financing Administra-
8 tion for qualified cancer screening tests,
9 multiplied by—

10 “(B) the number of qualified cancer
11 screening tests provided without charge during
12 the taxable year to qualifying low-income indi-
13 viduals.

14 “(b) DEFINITIONS.—For purposes of subsection
15 (a)—

16 “(1) ELIGIBLE INDIVIDUAL.—The term ‘eligible
17 individual’ means an individual who is—

18 “(A) the taxpayer,

19 “(B) the taxpayer’s spouse, or

20 “(C) any individual for whom the taxpayer
21 is allowed an exemption under section 151.

22 “(2) QUALIFIED CANCER SCREENING PRO-
23 VIDER.—The term ‘qualified cancer screening pro-
24 vider’ means a medical practitioner, facility, hospital,
25 laboratory, or similar institution licensed under

1 State law to provide 1 or more qualified cancer
2 screening tests.

3 “(3) QUALIFYING LOW-INCOME INDIVIDUAL.—
4 The term ‘qualifying low-income individual’ means
5 an individual—

6 “(A) whose income level does not exceed
7 150 percent of the official poverty line (as de-
8 fined by the Office of Management and Budget
9 and revised annually in accordance with section
10 673(2) of the Omnibus Budget Reconciliation
11 Act of 1981) applicable to a family of the size
12 involved, and

13 “(B) with respect to whom identifying in-
14 formation is maintained.

15 “(c) QUALIFIED CANCER SCREENING TESTS.—

16 “(1) IN GENERAL.—For purposes of this sec-
17 tion, the Secretary, after consultation with the Sec-
18 retary of Health and Human Services and cancer re-
19 search and prevention organizations, shall publish,
20 not later than December 31, 1993, and annually
21 thereafter, a list of cancer screening tests which
22 qualify for the credit allowable under this section.

23 “(2) CANCER SCREENING TESTS.—The list of
24 cancer screening tests which qualify under this sec-
25 tion shall include at least the following tests:

1 “(A) Physical breast examination and
2 mammogram for female breast cancer.

3 “(B) Digital rectal examination,
4 proctosigmoidoscopy, and blood stool test for
5 colon and rectum cancer.

6 “(C) Rectal examination for prostate can-
7 cer.

8 “(D) Pap test for uterine cancer.

9 “(E) Pelvic examination for ovarian can-
10 cer.

11 “(d) IDENTIFYING INFORMATION.—No credit shall
12 be allowed under this section unless the qualified cancer
13 screening provider maintains, to the satisfaction of the
14 Secretary, adequate records regarding the name and ad-
15 dress, date of testing, and type of test provided with re-
16 spect to each qualifying low-income individual with respect
17 to whom a credit is claimed.”

18 (b) COORDINATION WITH DEDUCTIONS FOR MEDI-
19 CAL EXPENSES.—Section 213(f) of such Code (relating to
20 coordination with health insurance credit under section
21 32) is amended—

22 (1) by inserting “and the amount (if any) of
23 the cancer screening test credit allowable to the tax-
24 payer for the taxable year under section 35(a)(1)”
25 before the end period; and

1 (2) by inserting “AND CANCER SCREENING
2 TEST CREDIT UNDER SECTION 35” in the heading
3 after “SECTION 32”.

4 (c) CLERICAL AMENDMENT.—The table of sections
5 for subpart C of part IV of subchapter A of chapter 1
6 of such Code is amended by striking the item relating to
7 section 35 and inserting:

 “Sec. 35. Cancer screening test credit.

 “Sec. 36. Overpayments of tax.”

8 (d) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to taxable years beginning after
10 December 31, 1993.

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